Doc. 100

Case 2:04-cv-00158-DF

Document 100

Filed 08/31/2004

Page 1 of 4
FILED-CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

O4 AUG 31 PM 3:51
TX EASTERN-MARSHALL

COMPRESSION LABS, INC.)
Plaintiff, v.))) C.A. No. 2:04-CV-158-DF
AGFA CORPORATION, et al.,	
Defendants.)

STIPULATION OF DISMISSAL WITH PREJUDICE REGARDING DEFENDANT MACROMEDIA, INC.

This matter having come before the Court on the pleadings of record and it being represented that plaintiff Compression Labs, Inc. ("CLI") and defendant Macromedia, Inc. ("Macromedia") have reached final agreement on settlement of the claims made in this action by CLI against Macromedia, and, based upon the agreement, consent and approval of CLI and Macromedia, IT IS HEREBY STIPULATED as follows:

- 1. This Court has personal jurisdiction over CLI and Macromedia and over the subject matter of this action;
- 2. All claims in this action brought by CLI against Macromedia are hereby dismissed with prejudice pursuant to Fed. R. Civ. P. 41(a)(1);
- 3. CLI and Macromedia are to bear their own attorneys' fees and costs with respect to the dismissed claims; and

4. The Court retains jurisdiction to enforce the terms of the Confidential Settlement
Agreement of August 20, 2004 by and between Compression Labs, Inc., Forgent
Networks, Inc., and Macromedia, Inc., and any amendments thereto.

Dated: August 3(, 2004

Respectfully submitted

Harry Lee Gillam, Jr.

Melissa Smith

Gillam & Smith LLP 110 South Bolivar Street

Suite 204

Marshall, Texas 75670

ATTORNEYS FOR MACROMEDIA, INC.

Dated: August 31, 2004

Stephen G. Rudisill (attorney-in-charge)

Illinois Bar No.: 2417049 Texas Bar No.: 17376050 srudisill@jenkens.com

John C. Gatz

Illinois Bar No.: 6237140 jgatz@jenkens.com

Russell J. Genet

Illinois Bar No.:6255982 rgenet @jenkens.com

Justin D. Swindells

Illinois Bar No.: 6257291 jswindells@jenkens.com

JENKENS & GILCHRIST, P.C.

225 West Washington Street, Suite 2600

Chicago, Illinois 60606 Tel. (312) 425-3900

Fax (312) 425-3909

S. Calvin Capshaw III

Texas Bar No.: 03783900

ccapshaw@mailbmc.com BROWN, McCARROLL, L.L.P. 1127 Judson Road, Suite 220 Longview, Texas 75601-5157 Tel. (903) 236-9800 Fax. (903) 236-8787

Franklin Jones, Jr.

Texas Bar No.: 00000055 maiezieh@millerfirm.com

JONES & JONES, Inc., P.C.

201 West Houston Street (75670)

P.O. Drawer 1249

Marshall, Texas 75670-1249

Tel. (903) 938-4395

Fax. (903) 938-3360

Otis Carroll

Texas Bar No.: 03895700

Jack Wesley Hill

Texas Bar No.: 24032294 nancy@icklaw.com

IRELAND, CARROLL & KELLEY, P.C.

6101 South Broadway, Suite 500

Tyler, Texas 75703

Tel. (903) 561-1600

Fax. (903) 581-1071

Carl R. Roth

Texas Bar No.: 17312000

cr@rothfirm.com

Michael C. Smith

Texas Bar No.: 18650410

ms@rothfirm.com

THE ROTH LAW FIRM

115 North Wellington, Suite 200

P.O. Box 876

Marshall, Texas 75670

Tel. (903) 935-1665

Fax (903) 935-1797

ATTORNEYS FOR COMPRESSION LABS, INC.

CERTIFICATE OF SERVICE

HARRY L. GILLAM, JR.